S & L Vitamins, Inc. v. Australian Gold, Inc. Doc. 26

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

S & L VITAMINS, INC., Plaintiff, - vs. - AUSTRALIAN GOLD, INC., Defendant.	CIVIL ACTION NO. 05-CV-1217 (JS) (MLO) **MOTION**
AUSTRALIAN GOLD, INC., Third Party Plaintiff, - vs. - LARRY SAGARIN AND JOHN DOES 1-10, Third Party Defendants.	

Plaintiff S&L Vitamins, Inc. and third party defendant Larry Sagarin, pursuant to Rules 12(b)(6) and 12(c) of the Federal Rules of Civil Procedure, hereby move the Court to enter a judgment of dismissal in favor of movants on all counts of defendant's amended counterclaim and third party complaint and granting a declaratory judgment pursuant to the plaintiff's demand in the complaint.

Plaintiff and third Party Defendant submit the following documents in support of their motion:

Dockets.Justia.com

1. Proposed Order

2. Memorandum of Law in Support of Motion

Dated: August 18, 2005

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